

**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER  
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE  
STATE OF NEVADA HERETOFORE APPROPRIATED**

Date of filing in State Engineer's Office..... JUN 5 1985

Returned to applicant for correction.....

Corrected application filed..... Map filed JUN 5 1985The applicant..... TED R. SMITTEN, JR...... of Fallon  
Street and No. or P.O. Box No. City or TownNevada 89406 hereby make..... application for permission to change the  
State and Zip Code No.place of use of a portion

Point of diversion, manner of use, and/or place of use

of water heretofore appropriated under Truckee-Carson Irrigation District

(Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and

No. 366, 569, 1025-3-A United States of America v. Orr Water Ditch  
(Identify right in Decree.)Co. in Equity No. A.3 Claim No. 3; United States of America v.Alpine Land & Reservoir Co. D.C. No. D-183 BRT1. The source of water is Truckee River & Carson River

Name of stream, lake, underground spring or other source.

2. The amount of water to be changed 57.8 acre feet

Second feet, acre feet. One second foot equals 448.83 gallons per minute.

3. The water to be used for as decreed

Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

4. The water heretofore permitted for as decreed

Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

5. The water is to be diverted at the following point Lahontan Dam being within the

Describe as being within a 40-acre subdivision of public survey and by course and

SW $\frac{1}{4}$  SE $\frac{1}{4}$ , Section 33, Township 19 North, Range 26 East, M.D.B.&M.

distance to a section corner. If on unsurveyed land, it should be stated.

6. The existing permitted point of diversion is located within no change

If point of diversion is not changed, do not answer.

7. Proposed place of use 9.0 acres, NW $\frac{1}{4}$  NW $\frac{1}{4}$ , 3.4 acres NE $\frac{1}{4}$  NW $\frac{1}{4}$ , Section 32;

Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.

.44 acre SW $\frac{1}{4}$  SW $\frac{1}{4}$ , Section 29, all in Township 19 North, Range 28East, M.D.B.&M.8. Existing place of use 1.21 acres, NE $\frac{1}{4}$  NW $\frac{1}{4}$ , Section 32, 1.26 acres SW $\frac{1}{4}$  SW $\frac{1}{4}$ , Section 29,

Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or

both in Township 19 North, Range 28 East, M.D.B.&M.; 6.0 acres SE $\frac{1}{4}$  SE $\frac{1}{4}$ , Section 6,  
manner of use of irrigation permit, describe acreage to be removed from irrigation.Township 19 North, Range 27 East, M.D.B.&M.; 3.97 acres NE $\frac{1}{4}$  NW $\frac{1}{4}$ , .4 acre SE $\frac{1}{4}$  NW $\frac{1}{4}$ ,  
Section 13, Township 20 North, Range 24 East, M.D.B.&M.9. Use will be from as decreed to ..... of each year.

Month and Day

Month and Day

10. Use was permitted from as decreed to ..... of each year.

Month and Day

Month and Day

11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and

specifications of your diversion or storage works.) dam, canal & ditches

State manner in which water is to be diverted, i.e. diversion structure, ditches,

pipes and flumes, or drilled well, etc.

12. Estimated cost of works complete13. Estimated time required to construct works complete

14. Estimated time required to complete the application of water to beneficial use.....2 years.....

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

Water will be delivered to the proposed place of use via the

"A" Line Canal.

By s/Truckee-Carson Irrigation District  
Agent

Compared mc/jf.....ijk/bl.....

P.O. Box 1356  
Fallon, NV 89406

Protested 7/22/85 Pyramid Lake Paiute Tribe of Indians  
Pro. overruled 2/12/87, Ruling No. 3412

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the place of use of the waters of the Truckee and Carson Rivers as set forth under the Newlands Reclamation Project rights in the Truckee and Carson River final decrees is issued subject to the terms and conditions imposed in said decrees and with the understanding that no other rights on the source will be affected by the change proposed herein. This permit is also issued subject to the State Engineer's Ruling No. 3412 dated February 12, 1987.

The duty under this permit is further conditioned upon possible modification by the United States District Court of Nevada by and through pending litigation.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 57.78 acre-feet ~~cubic feet per second~~ As Decreed

Work must be prosecuted with reasonable diligence and be completed on or before.....March 15, 1988.....

Proof of completion of work shall be filed before.....April 15, 1988.....

Application of water to beneficial use shall be made on or before.....March 15, 1990.....

Proof of the application of water to beneficial use shall be filed on or before.....April 15, 1990.....

Map in support of proof of beneficial use shall be filed on or before.....April 15, 1990.....

Completion of work filed.....APR 07 1988.....

IN TESTIMONY WHEREOF, I.....PETER G. MORROS.....  
State Engineer of Nevada, have hereunto set my hand and the seal of

Proof of beneficial use filed.....

my office, this.....20th.....day of.....February.....

Cultural map filed.....

Certificate No.....Issued.....

A.D. 1987.....

*[Signature of Peter G. Morros]*  
State Engineer

2407 (Rev. 6-81)

*See Supplemental filing on  
Record # 12755, 2/18/91*

WITHDRAWN BY APPLICANT MAR 14 2001

*[Signature of J. Picci]* P.E. STATE ENGINEER